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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPER DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFIC WASHINGTON, DC 20231

Paper No: 28

4380

Appeal No:

Appellant:

Application No: Hearing Room:

Hearing Docket:

Hearing Date: Hearing Time:

Location:

Thursday, June 12, 2003

1:00 PM

2003-1059

09/367,481

Room 12C07 CRYSTAL GATEWAY 2

Tohru Fushiki et al.

1225 Jefferson Davis Highway

Arlington, VA 22202

NOTICE OF HEARING

CONFIRMATION-REQUIRED WITHIN TWENTY-ONE DAYS -

Your attention is directed to 37 CFR § 1.194(a).

The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.

The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.

This form must be completed below and filed with the Board of Patent Appeals and Interferences preferably by facsimile within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this form may alternatively be filed by mail if facsimile is not available.

Failure to file this form within this time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply.

By order of the Board of Patent Appeals and Interferences

BPAI FAX No:

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BOARD OF PATENT APPEALS AND INTERFERENCES

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL

PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND

Paralegal Specialist

Dianne-E.-Maggard-

WASHINGTON, D.C. 20231 -

TRADEMARK OFFICE

(703)-305-4673

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:

HEARING ATTENDANCE CONFIRMED

HEARING ATTENDANCE WAIVED

April 25, 2003

31,900

Signature

Registration No.

MAILED

APR 1 7 2003

PAT & T.M. OFFICE IRD OF PATENT APPE WAY INTEREBURE



Transmittal Cover Sheet

TO

Dianne E. Maggard, Paralegal Specialist

Company

USPTO

Fax Number

703 308 6200

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FROM

Eugene C. Rzucidlo

File Number

44342.013400

Comments

Date

April 25, 2003

Time

10:24 AM

No. Pages

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): ISHUHARA, K., et al			Docket No. 44342.013400
Serial No. 09/367,481	Filing Date August 13, 1999	Examiner Coe, S.	Group Art Unit 1651
Invention: ATHLETIC	endurance increasing à	GENT IN FOOD	•
I hereby certify that this		endance to Notice of Hearing Thu	
is being facsimile transm	itted to the United States Paten	t and Trademark Office (Fax. No.	703 308 6200
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